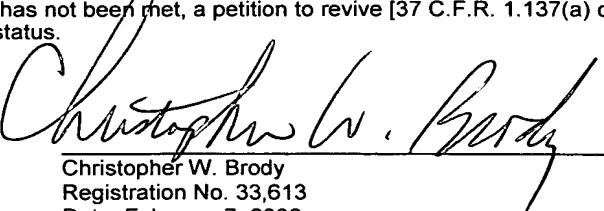


2003 DOCKET NO. 62

FORM PTO-1390 (REV 2-2005) OMB-0651-0021	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. <b>12007-0051</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		DATE: <b>February 7, 2006</b>
		U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.5) <b>10/534,885</b>
INTERNATIONAL APPLICATION NO. <b>PCT/DE2003/003787</b>	INTERNATIONAL FILING DATE <b>November 14, 2003</b>	PRIORITY DATE CLAIMED <b>November 15, 2002</b>
<b>TITLE OF INVENTION: BIODEGRADABLE COLLOIDAL PARTICLES FOR PULMONARY APPLICATIONS IN PARTICULAR (AS AMENDED)</b>		
<b>APPLICANT(S) FOR DO/EO/US: Werner SEEGER, Thomas SCHMEHL, Tobias GESSLER, Ann Lea DAILEY, and Matthias WITTMAR</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]. a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)] a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</p>		
Items 11 - 20 below concern other document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment. <input checked="" type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: PTO Form 1449 &amp; 6 references</p>		

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/534,885		INTERNATIONAL APPLICATION NO. PCT/DE2003/003787		ATTORNEY DOCKET NO. 12007-0051 DATE: February 7, 2006					
<input type="checkbox"/> The following fees are submitted:				CALCULATIONS					
<input type="checkbox"/> 21.) Basic National Fee ..... \$300				PTO USE ONLY					
<input type="checkbox"/> 22.) Examination Fee - If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100				\$					
All other situations ..... \$200				\$					
<input type="checkbox"/> 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2) has been paid in the International Application to the USPTO as an International Searching Authority ..... \$100				\$					
International Search Report prepared and provided to the Office. \$400				\$					
All other situations ..... \$500				\$					
<b>TOTAL OF 21, 22 and 23 =</b>				\$					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.									
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE					
-100	/50=			x \$250					
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(h)].									
Claims	Number Filed	Number Extra	Rate	\$					
Total Claims	- 20 =	0	X \$50.00	\$					
Independent Claims	- 3 =	0	X \$200.00	\$					
Multiple dependent claim(s) (if applicable)				+ \$360.00					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$					
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½									
<b>SUBTOTAL =</b>									
Processing fee of \$130.00 for furnishing the English translation later the 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].									
<b>TOTAL NATIONAL FEE =</b>									
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property									
<b>TOTAL FEES ENCLOSED =</b>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Amount to be refunded</td> <td style="width: 40%;">\$</td> </tr> <tr> <td>Charged</td> <td>\$</td> </tr> </table>						Amount to be refunded	\$	Charged	\$
Amount to be refunded	\$								
Charged	\$								
a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.									
b. <input type="checkbox"/> Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$ _____ to cover the above fee. A duplicate copy of this sheet is enclosed.									
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-1088.									
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.									
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.									
SEND ALL CORRESPONDENCE TO:									
<b>CLARK &amp; BRODY</b> 1090 Vermont Avenue, N.W. Suite 250 Washington, D.C. 20005 Telephone: 202-835-1111 Fax: 202-835-1755									
 Christopher W. Brody Registration No. 33,613 Date: February 7, 2006									
Customer Number: 22902									